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19 Attorneys for IN-N-OUT BURGERS, a California Corp.

20 UNITED STATES DISTRICT COURT

21 NORTHERN DISTRICT OF CALIFORNIA – SAN JOSE DIVISION

22 IN-N-OUT BURGERS, a California  
23 Corporation,

24 Plaintiff,

25 v.

26 SAI M. ONG, an individual d/b/a  
27 “IN N OUT SMOG CHECK,” BO  
28 TRAN, an individual d/b/a “IN &  
OUT SMOG CHECK,” PHI L. LE,  
an individual d/b/a “IN-N-OUT

Case No. C07 05453 JL

**PROOF OF SERVICE RE  
MAN Q. DINH**

Attorney or Party without Attorney: MICHAEL L. MEEKS, ESQ., Bar #172000 PEPPER HAMILTON LLP 5 PARK PLAZA SUITE 1700 IRVINE, CA 92614 Telephone No: (949) 567-3500 FAX No: (866) 777-8799				For Court Use Only	
Attorney for: Plaintiff			Ref. No. or File No.:		
Insert name of Court, and Judicial District and Branch Court: United States District Court, Northern District Of California					
Plaintiff: IN-N-OUT BURGERS Defendant: SAI M. ONG					
<b>PROOF OF SERVICE Summons &amp; Complaint-Civil</b>		Hearing Date:	Time:	Dept/Div:	Case Number: C07 05453 JL

1. At the time of service I was at least 18 years of age and not a party to this action.
2. I served copies of the Summons In A Civil Case And Complaint; Civil Cover Sheet; Report On The Filing Or Determination Of An Actio Regarding A Patent Or Trademark; Application For Admission Of Attorney Pro Hac Vice; Order Granting Application For Admission Of Attorney Pro Hac Vice; Order Granting Application For Admission Of Attorney Pro Hac Vice; Order Setting Initial Case Management Conference And Adr Deadlines; Order Setting Case Management Conference; Notice Of Assignment Of Case To A United States Magistrate Judge For Trial; Consent To Proceed Before A United States Magistrate Judge; Declination To Proceed Before A Magistrate Judge And Request For Reassignment To A United States District Judge; Notice Of Settlement Conference And Settlement Conference Order; Joint Case Management Statement And Proposed Order.
3. a. Party served: MAN Q. DINH, an individual d/b/a "IN N OUT SMOG CHECK"
4. Address where the party was served: 3114 DAKAN COURT  
UNIT 3  
SAN JOSE, CA 95135
5. I served the party:
  - a. by personal service. I personally delivered the documents listed in item 2 to the party or person authorized to receive service of process for the party (1) on: Sun., Nov. 04, 2007 (2) at: 7:42PM
7. Person Who Served Papers:
  - a. ELLENOR RIOS

Recoverable Cost Per CCP 1033.5(a)(4)(B)

d. The Fee for Service was:

- e. I am: (3) registered California process server
  - (i) Independent Contractor
  - (ii) Registration No.: 984
  - (iii) County: Santa Clara



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 1138 HOWARD STREET  
 San Francisco, CA 94103  
 (415) 626-3111, FAX (415) 626-1331

8. I declare under penalty of perjury under the laws of the State of California and under the laws of the United States Of America that the foregoing is true and correct.

Date: Thu, Nov. 15, 2007

*Ellenor Rios*  
 (ELLENOR RIOS)  
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